

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RONALD E. HARRIS, III,	:	Case No. 3:09-cv-60
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael J. Newman
vs.	:	
	:	
WARDEN, Chillicothe Correctional	:	
Institution,	:	
	:	
Respondent.	:	

ORDER AND ENTRY DENYING PETITIONER’S MOTION (Doc. 45)

This case is before the Court on Petitioner’s filing captioned as a “Motion for Summary Judgement Review.” (Doc. 45). The relief requested by Petitioner in this newly filed Motion is not entirely clear. Petitioner originally filed a Petition for Writ of Habeas Corpus on February 13, 2009 (Doc. 1), which was denied and dismissed by the Court (Doc. 29) following a de novo review of the parties’ briefings and the Report and Recommendations of the Magistrate Judge. A final Judgment Entry denying and dismissing the Petition was docketed on December 6, 2011. (Doc. 30).

The Court subsequently overruled Petitioner’s untimely objections to the recommendations of the Magistrate Judge, denied Petitioner’s motion to amend judgment, denied Petitioner’s request for issuance of a certificate of appealability, certified that there is no good faith basis for an appeal by Petitioner, and denied Petitioner’s request to proceed on appeal in forma pauperis. (Docs. 33, 37). On August,

21, 2012, the Sixth Circuit also denied Petitioner's motion for certificate of appealability and Petitioner's request to proceed in forma pauperis. (Doc. 42).

On April 10, 2013, over seven months after the Sixth Circuit denied Petitioner's requests, Petitioner filed a motion captioned as a "Motion for Summary Judgment" in this case. (Doc. 43). The Court struck Petitioner's Motion because the Court already entered final judgment in this case against him on December 6, 2011. (Docs. 29, 30). Insofar as Petitioner's most recent "Motion for Summary Judgement Review" seeks reconsideration of the Court's decision to strike his previous "Motion for Summary Judgment," Petitioner's request is denied on the same basis. Insofar as Petitioner's most recent Motion seeks to alter or amend the Court's final judgment entered on December 6, 2011, the Court denies such request as not only untimely, but as lacking in substantive merit.

Accordingly, Petitioner's motion captioned as a "Motion for Summary Judgement Review" (Doc. 45) is **DENIED**. This case remains closed on the Court's docket.

IT IS SO ORDERED.

Date: 9/4/2013

s/ Timothy S. Black
Timothy S. Black
United States District Judge